



Sworn Complaint Tennessee Ethics Commission

This form must be used to report alleged violations of any law within the jurisdiction of the Tennessee Ethics Commission. Please read the instructions before completing this form (failure to complete the form properly may result in dismissal of the complaint pursuant to T.C.A. §3-6-203(a)).

IDENTIFYING INFORMATION	
1. Complainant (First and Last Name): Chip Forrester	
Mailing Address: 1104 Stonewall Jackson Court, Nashville, TN 37220-1705	
Telephone: (615) 429-0840	E-mail (if available): chipforrester@hotmail.com
2. Alleged Violators (First and Last Name of each alleged violator) Bill Haslam	List the position or title of each alleged violator Governor of Tennessee
Mailing address of each alleged violator: Office of Governor Bill Haslam 1st Floor, State Capitol Nashville, TN 37243	

STATEMENT OF JURISDICTION	
1. Provide a short and plain statement of the nature of the violation(s). 1. Bill Haslam failed to disclose a campaign expenditure, the services of political advisor Tom Ingram, which is required by state law. (see § 2-10-105)	
2. List each law or rule (providing the specific citation) allegedly violated. § 2-10-105 (a) Each candidate for state public office and political campaign committee in a state election shall file with the registry of election finance a statement of all contributions received and all expenditures made by or on behalf of such candidate or such committee. The statement of each candidate for state public office shall include the date of the receipt of each contribution, and the statement of a political campaign committee in a state election shall include the date of each expenditure that is a contribution to a candidate in any election.	

STATEMENT OF FACTS

State all facts that constitute each alleged violation. State the dates upon which (or the time period within which) each violation allegedly occurred. Attach additional sheets as needed, signing and numbering each page.

See ATTACHMENT ONE

SUPPORTING DOCUMENTATION

1. List all documents and other materials in your possession that are relevant to this complaint. These documents should be attached to this complaint.

"Did Governor Haslam Break Campaign Finance Laws?" NewsChannel5.com, 7/11/13; "Haslam Defends Secret Payments to Lobbyist" NewsChannel5.com, 5/13/13; "Haslam Keeps Payments Private" NewsChannel5.com, 5/10/13

2. List all documents and other materials relevant to this complaint that are available to you, but are not currently in your possession. State the last known location of the document or material.

3. List all documents and other materials that are relevant to this complaint but are not available to you. State the last known location of the document or material.

Email correspondence related to campaign or political matters from or to Governor Bill Haslam, his office and/or campaign staff to or from Tom Ingram or any of his affiliated staff members; state or campaign-related email accounts

AFFIDAVIT

By my signature below, I attest to the following:

- I understand that, pursuant to T.C.A. §3-6-208, submitting a complaint containing false information, or submitting a complaint in reckless disregard of the truth or falsity of the information contained therein, constitutes a Class 2 offense which may subject me to civil penalties in an amount up to ten thousand dollars (\$10,000) and may additionally subject me to liability for the reasonable costs and attorney fees of the falsely accused;
- The information contained in this complaint, and any supporting documentation or materials referenced herein or submitted herewith, is true and correct to the best of my knowledge, information and belief.

Signature of Complainant

Date

Sworn to and subscribed before me this _____ day of _____ in _____ County, Tennessee:

Affix Notary Seal here

Signature of Notary

ATTACHMENT ONE

Statement of Facts

From the beginning of 2011 through July 1st, 2013, Governor Bill Haslam failed to disclose expenses related to his gubernatorial campaign efforts, specifically the monies paid for the services of political advisor Tom Ingram.

Haslam's campaign finance reports show that advisor Tom Ingram first appeared on his payroll in 2009, during Haslam's gubernatorial campaign, and remained on his campaign's payroll through the end of 2010.¹

However, since Haslam began his term as governor in early 2011, Haslam paid Ingram from a private account, which hides an expenditure that state law requires to be reported publicly, according to a *News Channel 5* report dated May 10, 2013.²

The governor's statements indicate that this relationship with and personal payment of Tom Ingram continued through the end of June 2013. In an interview with *News Channel 5* on May 13, 2013, Governor Haslam said, "I am paying him (Ingram) personally" for his "political advice."³ When the reporter asked Haslam how much he paid Ingram, Haslam declined to answer, saying, "That's personal. Like I said, I am paying him personally." *Id.*

A *Nashville City Paper* article dated June 25, 2013, reported that Governor Haslam would begin to pay Tom Ingram through campaign funds rather than out of his own pocket.⁴ A *News Channel 5* report states that Haslam campaign officials confirm that campaign payment of Tom Ingram began on July 1st, 2013.⁵

During this period of Governor Haslam paying Tom Ingram from private accounts, not subject to disclosure rules that promote transparency and safeguard citizens, Tom Ingram played a role in managing the Governor's campaign events. In an article entitled "Did Governor Haslam Break Campaign Finance Laws?" *News Channel 5* reports that state emails "reveal Ingram participated in campaign-related planning events while he was on the governor's private payroll."

¹ "Early Year End Supplemental 2009." [Tennessee Registry of Election Finance, 7/14/10].

² "Haslam Keeps Payments Private" [newschannel5.com, 5/10/13] Accessed July 11, 2013.
<http://www.newschannel5.com/story/22221599/haslam-keeps-payments-private>

³ "Haslam Defends Secret Payments to Lobbyist" [newschannel5, 5/13/13] Accessed July 11, 2013.
<http://www.newschannel5.com/story/22240399/haslam-defends-secret-payments-to-lobbyist>

⁴ "Haslam to put adviser Tom Ingram on campaign payroll." [nashvillecitypaper.com, 6/25/13].
<http://www.nashvillecitypaper.com/content/city-news/haslam-put-adviser-tom-ingram-campaign-payroll>

⁵ "Did Governor Haslam Break Campaign Finance Laws?" [newschannel5.com, 7/11/13] Ben Hall.
<http://www.newschannel5.com/story/22819524/did-haslam-break-campaign-finance-laws>

Though Governor Haslam had previously said that Ingram “wasn’t doing political work where it should be campaign [money to pay Tom Ingram]”, the e-mails show that Tom Ingram attended a campaign retreat for Governor Haslam’s 2014 reelection campaign.

In one particular e-mail, Governor Haslam’s chief of staff Mark Cate asks Tom Ingram to set aside time for the eight-hour campaign event. In another e-mail, Tom Ingram suggests that the campaign host the campaign retreat at the Loews Vanderbilt Hotel because he preferred “to get away from government space.” In another e-mail conversation between Tom Ingram and Governor Haslam’s chief of staff in September 2012 with the subject line “planning session”, Ingram told Cate that they “also need[ed] to discuss super PAC,” an apparently campaign-related subject.



NCS Investigates: Questions of Influence

Haslam Keeps Payments Private

Posted: May 10, 2013 6:17 PM CDT

Updated: May 10, 2013 06:18 PM

by Ben Hall
Investigative Reporter

NASHVILLE, Tenn. - Governor Bill Haslam is not revealing how much he personally pays lobbyist and consultant Tom Ingram.

NewsChannel 5 Investigates first discovered that Governor Haslam has been paying Ingram out of his own pocket since 2011.

Ingram offers political advice and consultation to other prominent politicians, but they pay him out of campaign funds and fully disclose all payments.

Ingram lists on his website that he is a "consultant to Senators Alexander, Corker and Governor Haslam."

He told NewsChannel 5 Investigates there is nothing inappropriate about getting paid by public officials whom he also lobbies, because people are aware of his relationships.

"As long as the relationship is known and out front, and we're careful about it, I think it's worked well for many years," Ingram said.

Senators Bob Corker and Lamar Alexander make their relationship with Ingram known by reporting all payments to him on federal campaign disclosures.

Alexander's campaign has paid Ingram \$30,000 so far this year.

Senator Corker's campaign paid Ingram \$349,000 through December 2012, for his work helping Corker defeat disavowed Democrat Mark Clayton.

But Governor Bill Haslam does it differently.

In 2011, after Haslam became Governor, Haslam started paying Ingram out of his own pocket.

The private payments are not disclosed on campaign finance reports, which means no one knows how much he currently pays Ingram.

Campaign disclosures from the 2010 campaign show Haslam paid Ingram and his firm more than \$420,000 before making the payments private.

"I think that's something the public might deserve to know," said Common Cause Chair Dick Williams.

Williams wants state law changed to require at least basic reporting of private payments like this.

"There's a big difference between somebody getting paid a couple of thousand dollars a year or a month versus \$50,000 or whatever the range might be," Williams said.

The relationship between Haslam and Ingram becomes more interesting because Ingram and his firm lobby state and federal officials on behalf of many clients including Pilot Flying J, which the Haslam family owns.

In fact, Ingram took over speaking for Pilot while it deals with fallout from an FBI and IRS investigation.

State Democratic Party Chair Roy Herron said this is an unusual situation.

"I've never heard of a political person being paid with private funds that were not disclosed," Herron said.

Herron says Haslam has become more and more secretive with his money. First, refusing to release his tax returns, and now this.

"Right now we don't know who is getting paid how much to do what for whom, and that's not good government," Herron said.

Governor Haslam's office has not said why Haslam believes the payments should be private.

A spokesperson said Haslam will start disclosing Ingram's payments when the next campaign begins.

Email: bhall@newschannel5.com

NCS Investigates: Questions of Influence

Review emails, documents related to Crossville Coal

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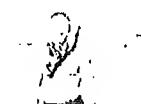
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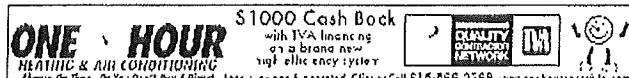
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NCS Investigates: Questions of Influence

Haslam Defends Secret Payments To Lobbyist

Posted: May 13, 2013 8:34 PM CDT

Updated: May 13, 2013 10:31 PM

by Ben Hall
Investigative Reporter

NASHVILLE, Tenn. - Gov. Bill Haslam defended making private payments to lobbyist Tom Ingram on the same day the Tennessee Ethics Commission called on Ingram to answer questions about why he failed to register one of his clients.

Haslam answered questions Monday about his arrangement with Ingram for the first time since *NewsChannel 5 Investigates* revealed Haslam pays Ingram out of his own pocket.

"From time to time there have been certain issues I have sought his advice on," Haslam said.

But there's one question the governor would not answer.

"How much do you pay him personally?" *NewsChannel 5 Investigates* asked.

"That's personal," the governor answered. "Like I said, I am paying him personally."

U.S. Senators Bob Corker and Lamar Alexander have also paid Ingram for his advice.

But both said that, when they pay Ingram, it has been out of their campaign accounts, not out of their own pockets.

That way voters can see their financial arrangements on campaign finance disclosures.

NewsChannel 5 Investigates asked the governor, "Should that be disclosed? Should people know how much you pay him?"

Haslam responded, "I'm not sure what difference that would make. I am paying him personally."

NewsChannel 5 Investigates followed, "He lobbies state agencies."

Haslam countered, "He doesn't lobby me, period."

We noted, "And he helps with political advice."

"That's political advice for me," Haslam said. "That's not about anything to do with state business."

Hours before Haslam spoke with reporters, the Tennessee Ethics Commission questioned why Ingram and his firm failed to disclose that they lobbied a state agency on behalf of a coal company.

"They're admitting they did lobby for them," the commission's executive director, Drew Rawlins said, as he held up a letter from Ingram's firm.

NewsChannel 5 Investigates first revealed that Ingram's firm lobbied on behalf of Crossville Coal.

The company wants to mine on a state wildlife management area.

Ingram said his firm simply forgot to register for at least two years.

NewsChannel 5 Investigates asked Ingram, "Did you not want people to know you represented this company?"

Ingram responded, "Absolutely not. There's no need for us to hide the ball. We've got a lot of clients. It was an inadvertent oversight."

The commission ordered a show-cause hearing.

It means Ingram, colleague Marcille Durham and a representative from Crossville Coal's parent company, Hillsborough Resources, must explain why no one registered with the state.

The commission will then decide whether to levy a fine against any or all of them.

Email: bhall@newschannel5.com

NC5 Investigates: Questions of Influence

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NewsChannel 5 Investigates:

Did Governor Haslam Break Campaign Finance Laws?

Posted: Jul 11, 2013 4:26 PM CDT
Updated: July 11, 2013 07:57 PM

by Ben Hall
Investigative Reporter

NASHVILLE, Tenn. -- State e-mails, obtained by *NewsChannel 5 Investigates*, raise new questions about whether Tennessee Governor Bill Haslam broke campaign finance laws by paying lobbyist Tom Ingram out of his own pocket.

The emails reveal Ingram participated in campaign-related planning events while he was on the governor's private payroll.

State law requires campaign expenses to be reported on campaign financial disclosures so the public can see how much money was involved, but Haslam has insisted on paying Ingram privately.

"I've had him on personal retainer, no state money, no campaign money," Haslam told reporters in May.

The governor insisted that there's nothing wrong with having lobbyist and consultant Tom Ingram on his private payroll.

He said he hired Ingram to help with statewide "organizational" issues.

"It's not fair to have the state pay Tom -- and he wasn't doing political work where it should be campaign," Haslam said last month.

But the new emails reveal Ingram continued to do campaign work, planning for the governor's next election, while he was on the governor's private payroll.

In October of 2012, the governor's chief of staff, Mark Cate, e-mailed Ingram about a "2014 planning retreat."

Cate asked Ingram, as well as Haslam's campaign finance director and key office staff, to set aside eight hours over two days for the retreat.

Later, Ingram suggested having the retreat at the Loews Vanderbilt Hotel because he preferred "to get away from government space."

Haslam's office confirmed the retreat was campaign related about his reelection.

Drew Rawlins, with the Registry of Election Finance, said the law is clear: if someone is paid to do campaign work, it should be disclosed on campaign finance reports for the public to see.

"If you're paying someone to do campaign-related activity, you have to disclose that expenditure. You're required by statute to disclose that expenditure," Rawlins said.

But even though Ingram was receiving regular monthly retainer payments, the governor's office now says Ingram was not paid for the time he attended the campaign retreat.

Haslam's office did not provide details of the campaign retreat, but said it only lasted a couple of hours.

The head of Gill Media and former conservative radio host Steve Gill said the governor should stop hiding how much he paid Ingram.

"When you do something that looks suspicious, that's usually good reason for people to be suspicious," Gill said.

"The governor's campaign was never short on money, so it's not a matter of penny pinching when they decide we're going to pay this out of this account or that account. It's because they didn't want people to know," he added.

Other emails reveal that in a September 2012 discussion with the subject line "planning session," Ingram told Mark Cate we "also needs [sic] to discuss super PAC."

Haslam's office said Cate did not know what the "Super PAC" reference meant.

Traditionally, the term refers to a political action committee that helps to support a candidate's campaign -- although it normally cannot coordinate with that candidate or his campaign.

A spokesman for the governor said that Haslam started paying Ingram out of his campaign account on July 1.

He said that was the plan all along as Haslam's reelection grew closer and it had nothing to do with outside pressure.

However, the governor has no plans to amend past disclosures to reveal what he has paid Ingram.

If someone filed a complaint with the Bureau of Ethics and Campaign Finance, the bureau could issue a show cause order to Haslam for failing to disclose campaign expenses, according to Drew Rawlins.

If a violation were found, the bureau could issue a fine. The fine for nondisclosure is up to \$10,000 per violation.

Email: bhall@newschannel5.com

NC5 Investigates: Questions of Influence

View Haslam administration's campaign-related emails

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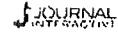


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